



# National Transportation Safety Board

Washington, D.C. 20594

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Office of the Chairman

The Honorable Carl T. Johnson  
Administrator  
Pipeline and Hazardous Materials  
Safety Administration  
1200 New Jersey Avenue, SE  
East Building, 2nd Floor, PH  
Washington, D.C. 20590

Dear Mr. Johnson:

Thank you for the February 7, 2008, letter from Ms. Stacey L. Girard, Assistant Administrator/Chief Safety Officer, regarding action taken to implement Safety Recommendation P-90-29, stated below. This recommendation was issued to the Pipeline and Hazardous Materials Safety Administration (PHMSA) on October 1, 1990, as a result of the National Transportation Safety Board's investigation of the October 3, 1989, grounding of the U.S. fishing vessel *Northumberland*, resulting in a rupture of a natural gas pipeline and subsequent fire in the Gulf of Mexico near Sabine Pass, Texas. The Safety Board did not receive this letter until March 2, 2008.

## P-90-29

Develop and implement, with the assistance of the Minerals Management Service, the U.S. Coast Guard, and the U.S. Army Corps of Engineers, effective methods and requirements to bury, protect, inspect the burial depth of, and maintain all submerged pipelines in areas subject to damage by surface vessels and their operations.

On December 20, 2004, the Safety Board acknowledged the considerable efforts that PHMSA had expended to implement this recommendation, including comprehensive research and substantive regulatory improvements. In its letter, however, the Board pointed out that although we appreciated PHMSA's efforts, the Board believed that the scope of the initial recommendation (P-90-5) needed to be expanded to all pipelines located in areas subject to damage by surface vessels and their operations; for this reason, in the final *Northumberland* report, Safety Recommendation P-90-29 superseded P-90-5. The Board cited a January 2, 1990, incident in which a 12-inch pipeline transporting heating oil had ruptured in the Arthur Kill channel between Staten Island, New York, and Linden, New Jersey. In its 2004 letter, the Board also encouraged PHMSA to take the action recommended by its Technical Hazardous Liquid Pipeline Safety Standards Committee and the Technical Pipeline Safety Standards Committee by conducting further studies to collect data on the risks of exposed pipelines and possible hazards to navigation in offshore waters other than the

Gulf of Mexico and its inlets. Pending further response from PHMSA, Safety Recommendation P-90-29 was classified “Open—Acceptable Response.”

The Safety Board is pleased to learn that PHMSA has examined reports of all offshore pipeline incidents within the 15-foot-depth contour line and that PHMSA’s November 2006 report, *Study on Burial of Submerged Pipelines*, included the following actions relative only to the pipelines under PHMSA’s regulatory authority:

- Review of the extent of incidents in coastal states involving vessels striking pipelines
- Review of Coastal Zone Management Programs and the U.S. Army Corps of Engineers permitting process for the applicability of requirements to inspect underwater pipelines
- Review of six data sources within PHMSA and the U.S. Coast Guard for vessel incidents involving pipeline hazards to navigation and pipeline incidents involving vessels or their equipment

Determination of the applicable area of the study, including the inland extent of tidal influence (Defining the study area included calculating the mileage of pipelines within the area of concern.)

The Safety Board notes that the study revealed 58 reported instances of a vessel or its equipment striking an offshore submerged pipeline and 64 reported instances of a submerged pipeline hazard to navigation between 1990 and 2005, all occurring in the Gulf of Mexico. To obtain offshore pipeline accident data outside the Gulf of Mexico, PHMSA issued a notice in the *Federal Register* seeking public comment on the results of the study; it received no further information or comment on the study. The Board further notes that PHMSA anticipates changes in the number of pipelines in the offshore environment as a result of the projected increase of liquefied natural gas (LNG) import facilities and that PHMSA will work with the Federal Energy Regulatory Commission (FERC) and other oversight agencies on a case-by-case basis to develop safety measures that should be considered before granting permits for rights-of-way in the offshore shallow waters. The Board understands that PHMSA regularly provides pre-siting safety reviews for permitting agencies and that there have been cases in which FERC has added conditions to approval for a permit based on PHMSA’s advice on the need for additional, site-specific protections. The Board is pleased that PHMSA will continue to monitor the hazard to navigation risk for all submerged LNG, natural gas, and hazardous liquid pipelines and to seek ways to ensure their adequate protection.

Because PHMSA has taken the recommended actions to develop and implement methods and requirements to bury, protect, inspect the burial depth of, and maintain all submerged pipelines in all areas subject to damage by surface vessels and their operations, Safety Recommendation P-90-29 is classified “Closed—Acceptable Action.”

Thank you for PHMSA's comprehensive effort to address this important safety issue.

Sincerely,



Mark V. Rosenker  
Chairman

cc: Ms. Linda Lawson, Director  
Office of Safety, Energy, and Environment  
Office of Transportation Policy